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O2 Micro International Limited

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 OAKLAND

12 MONOLITHIC POWER SYSTEMS, INC.,

13 Plaintiff,

14 v.

15 O2 MICRO INTERNATIONAL LIMITED,

16 Defendant.

17 O2 MICRO INTERNATIONAL LIMITED,

18 Counterclaimant,

19 v.

20 MONOLITHIC POWER SYSTEMS, INC.,  
21 ASUSTEK COMPUTER INC., ASUSTEK  
22 COMPUTER INTERNATIONAL AMERICA  
23 BENQ CORPORATION, AND BENQ  
AMERICA CORP.,

24 Counterclaim-Defendants.

Case No. C 08-4567 CW

**APPLICATION FOR ISSUANCE OF  
LETTERS OF REQUEST (LETTERS  
ROGATORY)**

1       **NOW INTO COURT**, through undersigned counsel, comes Defendant and Counterclaimant  
2 O2 Micro International Limited (“O2 Micro”) who respectfully petitions this Honorable Court for the  
3 issuance of Letters of Request for International Judicial Assistance in the form annexed, pursuant to  
4 Rule 4(h) of the Federal Rules of Civil Procedure, addressed to the appropriate judicial authority in  
5 Taiwan, requesting that the Taiwanese court cause the following documents to be served upon  
6 ASUSTeK COMPUTER INC. and BENQ CORPORATION: Summons in a Civil Action; Defendant  
7 O2 Micro International Limited’s First Amended Answer and Counterclaims to Monolithic Power  
8 System, Inc.’s Amended Complaint for Declaratory Relief.

9       O2 Micro further requests that after this Court has signed and affixed its seal to the Letters of  
10 Request, the Letters be returned to counsel for forwarding, along with the attached documentation, to  
11 the United States Department of State at the following address:

12               U.S. Department of State  
13               Office of Overseas Citizens Services  
14               2100 Pennsylvania Avenue, NW  
                  4<sup>th</sup> Floor  
                  Washington, D.C. 20037

15       The U.S. Department of State will oversee transmission of the Letters of Request and related  
16 documents to Taiwan through diplomatic channels as provided in 28 U.S.C. §1781(a)(2), as well as  
17 their presentation to the requested judicial authority in Taiwan.

18       O2 Micro stands ready to reimburse this Court and/or the U.S. Department of State for any  
19 expenses incurred in connection with the execution of the Letters of Request, and will deposit all  
20 necessary funds with appropriate entities in advance to cover such expenses.

Respectfully submitted,

Dated: February 18, 2009

By: /s/ K.T. Cherian

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Attachments:  
Letters Rogatory